IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL MISC.APPLICATION No 9686 of 2004

For Approval and Signature:

HON'BLE MR.JUSTICE J.R.VORA

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

SANJAY KANAIYALAL KANABAR

Versus

THE STATE OF GUJARAT

Appearance:

1. Criminal Misc.Application No. 9686 of 2004

MR SHAKEEL A QURESHI for Petitioner No. 1

MR PR ABICHANDANI, APP for Respondent No.1 - STATE

DS AFF.NOT FILED (R) for Respondent No. 2

CORAM : HON'BLE MR.JUSTICE J.R.VORA

Date of decision: 08/12/2004

ORAL JUDGEMENT

1. Learned advocate Mr.S.A.Qureshi for petitioner,

and learned APP Mr.P.R.Abichandani for respondent No.1 State, were heard.

2. This petition can be disposed of by following order:-

The petitioner - Sanjay Kanaiyalal Kanabar is directed to appear before the Court of Chief Judicial Magistrate (F.C.), Rajkot in Criminal Case No.4405 of 2004 on 10.12.2004 and shall file an undertaking before the learned Chief Judicial Magistrate (F.C.),Rajkot till 17.12.2004 that he shall remain personally present in the said Criminal Case No.4405 of 2004 on each day, unless the Court grants exemption through Advocate.

It will be open for the petitioner to make proper application before the Chief Judicial Magistrate (F.C.) for passing necessary order in respect of property attached, of the petitioner. The trial Court shall pass necessary orders in this respect, if, such application is preferred by the petitioner.

3. With the above order, this application stands disposed of. Rule is discharged. Direct service is permitted.

[J. R. Vora,J.]

(vijay)